

GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

R&B – Arbitration – Arbitration matters filed by and against Government – CRP No.4167 of 1992 and CMA No.1124 of 1993 - Orders of Hon'ble High Court – Amicable settlement through negotiations – Amount Sanctioned – Orders – Issued.

G.O.Ms.No. 123

Dated:25.08.2010.

Read the following:

1. G.O.Rt.No.1424, T.R & B Dept., Dated:16.10.2007.
2. Orders of the Hon'ble High Court of A.P., Dated:08.06.2007
3. Minutes of the meeting of Arbitration Committee held on 22.02.2010 in the Chambers of Prl. Secy. to Govt., R&B Dept..
4. From the ENC (R&B) SR, Lr.No.33607/DTA13/DEE3/AEE4/ 07-08, Dated: 16.12.09, & 27.03.2010.

O R D E R:

Government have constituted a Committee for attempting an amicable settlement of Arbitration Matters pending in the Courts pertaining to Roads & Buildings Department in the reference 1st read above.

2. The Hon'ble High Court of A.P. in its order Dated: 08.06.2007 has directed the respondent-claimant to approach the Principal Secretary of the Department concerned by filing appropriate comprehensive representation and make an effort to conciliate and settle the claim.
3. Keeping in view of the Orders of the Hon'ble High Court of A.P. Government through the Committee has attempted to settle the matter amicably i.e. through negotiations with the contractor. Accordingly after several negotiations with the Contractors/Claimants has arrived at a maximum consensus during its final meeting on 22.02.2010 held in the Chambers of Principal Secretary to Government, Transport, Roads & Buildings Department.
4. In the meeting held on 22.02.2010, Sri N.M.Choudary and Sri C.H.Bhagwan Das, Managing Directors of M/s Pressteels & Fabrication Pvt. Ltd. have agreed to receive Rs.43.30 Lakhs (Rupees Forty Three Lakhs and Thirty Thousand only) towards final settlement including Principal and Interest in the CRP No.4167 of 1992 and CMA No.1124 of 1993.
5. Government after careful examination of the matter, and keeping in view of the Orders of the Hon'ble High Court of Andhra Pradesh, hereby settle the matter in the interest of Government and the Contractor/Claimant to amicably resolve the long pending dispute by paying negotiated lump sum amount of Rs.43.30 Lakhs (Rupees Forty Three Lakhs and Thirty Thousand Only) towards final settlement in the CRP No.4167 of 1992 and CMA No.1124 of 1993 for the work "Construction of HLB across Kinnerasani River at km 54/2 of Yellandu-Bhadrachalam road" to M/s Pressteels and Fabrications Pvt. Ltd.
6. The Amount sanctioned in para-5 above towards final settlement to the claimant shall be debited to 5054- COL on Roads & Bridges 04-District and Other Roads MH 800- Other Expenditure GH 11-SH(07) Major District Roads 530- Major Works 531Other Expenditure" and shall be met from B.E. 2010-11.

(Contd. 2)

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7. The Engineer-in-Chief (R&B) State Roads is requested to take immediate necessary action in the matter by making payment to the claimant, subject to withdrawal of cases if any pending in the Hon'ble High Court in the matter.

8. This order issues with the concurrence of Law Dept. and Finance Dept. vide their U.O.No. 2879/LSP/2010, Dated:07.05.2010 and U.O.No. 19880/553/A2 /Expr. PWD/10, Dated: 11.08.2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

D.LAKSHMI PARTHASARATHI,
PRINCIPAL SECRETARY TO GOVERNMENT

To:

The Engineer-in-Chief (R&B) State Roads, Hyd.
The Hon'ble High Court of Andhra Pradesh, Hyd.
The Advocate General, High Court of A.P., Hyd.
The Managing Directors, M/s Pressteels & Fabrications Pvt. Ltd..
The Accountant General, Govt. of A.P., Hyd.
The Director of Works Accounts, Hyderabad

Copy to:

The P.S. to M(R&B)
The P.S. to Prl. Secy. to Govt., T.R & B Dept.
The Finance (Expr. PW) Dept.

//FORWARDED BY ORDER//

SECTION OFFICER